

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

MICHAEL H. HOLLAND, A. FRANK
DUNHAM, MARTY D. HUDSON, and
ELLIOT A. SEGAL, Trustees of
the UNITED MINE WORKERS OF
AMERICA 1993 BENEFIT PLAN,

Plaintiffs,

vs.

CIVIL ACTION NO. 5:02-0066

FOUR CORNERS CORPORATION,
a corporation
and
BLUESTONE INDUSTRIES, INC.,
a corporation,

Defendants.

FILED

SEP - 6 2002

SAMUEL L. KAY, CLERK
U.S. District & Bankruptcy Courts
Southern District of West Virginia

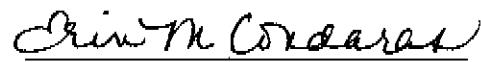
NOTICE AND STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Now come the plaintiffs and the defendant, Bluestone Industries, Inc., by counsel, and give notice of, and stipulate to, the dismissal of above civil action without prejudice, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. The plaintiffs' case against the defendant Bluestone Industries, Inc. is dismissed by the agreement represented by this stipulation, and the plaintiffs' case against defendant Four Corners Corporation is dismissed by this notice, pursuant to Rule 41(a)(1)(i), since the defendant Four Corners Corporation has not filed an answer or otherwise appeared in this case.

Jointly submitted,



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